

**ZONING BOARD OF APPEALS
AND PUBLIC HEARING MINUTES**

March 11, 2014
Council Chambers

Chairman Bosanac called the meeting to order at 7:00 p.m.

Call to Order.

Chairman Bosanac called the meeting to order and advised appellants that the Zoning Board of Appeals is a nine member board and tonight there are seven members present. The board consists of seven citizens at large, one council person and a representative from the Monroe Citizens Planning Commission. If an appellant would like to wait until there is a full complement of the board, the hearing can be postponed until the next scheduled meeting of the Board.

All appellants wished to proceed.

1: Roll Call.

Present: Commissioner Bill Kipf
Commissioner Sandra May
Commissioner George O'Dell
Commissioner Susan Iott
Commissioner Bettie Dickerson
Commissioner Kenneth Miller
Chairman Michael Bosanac

Excused: Councilman Jeffery Hensley

Guests: Mark Laboe, Dustin Leach, Dave Brink, Gary Pashaian.

Staff: Jeffrey Green, AICP, City Planner
Keith Woodcock, Building Official
Denise Palmer, Department Aid

2: Pledge of Allegiance

Chairman Bosanac led the Pledge of Allegiance.

3: Minutes & Agenda

A motion was made by Commissioner Kipf to approve tonight's agenda and minutes of the November 12, 2013 ZBA meeting. Second by Commissioner Iott.

Motion carried unanimously.

4: New Business

A- Case #ZBA 14-001 – 1750 N. Custer Road. –Parcel ID #69-00659-016

Mark Laboe / HSBC Bank USA

The applicant is seeking a variance to allow an accessory structure to remain on the subject property without a principal dwelling or structure. (720-115, Monroe Code).

Staff Report

The staff analysis was read into the record by Ms. Palmer.

Applicant Comments

Mark Laboe was present and spoke on behalf of the owner. He briefly discussed the reasons why the accessory structure should stay on the property, and asked for three years to allow for removing the property from the flood plain, and time to find a buyer.

Public Hearing

Chairman Bosanac opened the public hearing.

Keith Woodcock, Building Official, spoke regarding the enforcement concerns the City would have with the garage remaining without a residence.

With no other persons wishing to speak Chairman Bosanac closed the public hearing.

Board discussion

Discussion was held.

Commission Action

A motion was made by Commissioner Kipf. To grant a variance not to exceed the 12 month period from the date of fire loss, not to exceed November 1, 2014. Second by Commissioner May.

Being no further discussion on the motion, Chairman Bosanac called for their vote.

Motion failed (4 to 3) the applicant's request is denied.

B- Case # ZBA 14-002 810 W Front Street, Parcel # 19-00275-000.

Gary Pashaian / Monroe Environmental / Pashaian Corp.

The applicant is seeking a variance to install a logo / wall sign above the first floor of the building located at 810 W. Front Street contrary to Specific Sign Zone Standards (720-173, Monroe Code).

Staff Report

The staff analysis was read into the record by Ms. Palmer.

Applicant Comments

Mr. Pashaian discussed the sign placement and how it fits into the newly renovated building.

Public Hearing

Chairman Bosanac opened the public hearing.

There being no one wishing to comment, Chairman Bosanac closed the public hearing.

Board Discussion

Discussion was held.

Commission Action

Commissioner Iott made a motion to approve the request. Second by Commissioner Dickerson.

Motion passed (5 to 1), Commissioner O'Dell abstaining.

C- Case # ZBA 14-003 78 W. Front Street, Parcel # 29-00441-000.

Dustin Leach / Riverbank Wealth Management

The applicant is seeking a variance to install an additional wall sign on the building at 78 W. Front Street contrary to Specific Sign Zone Standards (720-173, Monroe Code).

Staff Report

The staff analysis was read into the record by Ms. Palmer.

Applicant Comments

Dustin Leach and Dave Brink spoke regarding installation of a second sign on the subject building

Public Hearing

Chairman Bosanac opened the public hearing.

There being no one wishing to comment, Chairman Bosanac closed the public Hearing.

Board Discussion

Discussion was held.

Commission Action

Commissioner May made a motion to approve the request for a second sign at 78 W. Front Street. Second by Commissioner Iott.

Motion passed (6 to 1).

5: Old Business

Election of officers.

Motion to table the Election of Officers by Commissioner O'Dell second by Commissioner May.

Motion passed unanimously.

6: Communications

None

7: Comments

None

8: Adjournment

Motion to adjourn by Commissioner Iott. Second by Commissioner Miller.

Motion passed unanimously

The meeting was adjourned at 9:05 p.m.

**ZONING BOARD OF APPEALS
AND PUBLIC HEARING MINUTES**

April 08, 2014
Council Chambers

Chairman Bosanac called the meeting to order at 7:00 p.m.

Call to Order.

Chairman Bosanac called the meeting to order and advised appellants that the Zoning Board of Appeals is a nine member board and tonight there are six members present. The board consists of seven citizens at large, one council person and a representative from the Monroe Citizens Planning Commission. If an appellant would like to wait until there is a full complement of the board, the hearing can be postponed until the next scheduled meeting of the Board.

Appellant wished to proceed.

Roll Call:

Present: Commissioner Bill Kipf
Commissioner Sandra May
Commissioner George O'Dell
Councilman Jeff Hensley
Chairman Michael Bosanac
Commissioner Bettie Dickerson

Absent: Commissioner Ken Miller

Excused: Commissioner Susan Iott

Guests: Brandon Burns, Brian Burns

Staff: Keith Woodcock, Building Official
Denise Palmer, Department Aid

Pledge of Allegiance

Chairman Bosanac led the pledge.

Minutes & Agenda

A motion was made by Commissioner O'Dell and second by Commissioner Kipf to approve tonight's agenda and minutes of the March 11, 2014 meeting.

Motion carried unanimously.

New Business

Case #ZBA 14-004– 1008 E. First Street. – Assessor’s Parcel #49-01101-000

Brandon M. Burns

The applicant is seeking a use variance, which will allow the subject property and structure to reestablish its prior nonconforming use as a three (3) unit apartment. (See full staff report).

Staff Report

The staff analysis was read into the record by Ms. Palmer.

Brandon Burns discussed the reasons why a three unit complex was needed in the low income neighborhood, the business in the area as well as other multi- family units. This structure has separate utilities to each of the three units.

Public Hearing

Chairman Bosanac opened the public hearing.

Brian Burns discussed the amount of rental property he and his son own in the City of Monroe.

A letter was read into the record by Ms. Palmer from Charles and Nancy Hall at 111 Kentucky Ave, Monroe Michigan. The Hall’s are against allowing the three unit apartment.

With no one else wishing to speak Chairman Bosanac closed the public hearing.

Board Discussion

Mr. Woodcock, Building Official spoke about the zoning in the area.

Commissioner Kipf noted from the Assessors record card the property only had two full baths and one sink. How can there be three units with only two baths.

Councilman Hensley spoke to the number of units the property had in past years.

Mr. Woodcock spoke about nonconforming use, the reason it became nonconforming. The property was voluntarily removed as rental.

Brian Burns doesn’t believe it is fair. “The assessor’s office and the building department said it was a tri-plex” (The applicant did not provide any written proof from these departments).

Chairman Bosanac asked where Mr. Burns thought the tenants were going to park. Discussion was held on parking.

Commission Action

A motion was made by Councilman Hensley, Case ZBA 14-004, 1008 E. First Street, Parcel Number 49-01101-000 be denied. Second by Chairman Kipf.

There being no further discussion on the motion, Chairman Bosanac called for the vote.

Motion failed (4 to 2) Use variance required five (5) affirmative votes.
Appeal is void per lack of votes.

There were no other motions or action made by the commissioners.

Old Business

Election of Officers

Motion by Commissioner Kipf to table the election until there is a full complement of the board. Second by Commissioner May.

Communications

Mr. Woodcock addressed the lack of commissioners and the need to find willing people to fill the positions.

Public Comment

None

Board Comments

Chairman Bosanac welcomed Councilperson Hensley to the board.

Councilperson Hensley asked if any Commissioners know anyone willing to join the ZBA board, contact the Mayor's office for an application.

With no one else wishing to comment Chairman Bosanac asked for a motion to adjourn.

Motion to adjourn by Commissioner Kipf, Second by Commissioner O'Dell...

Motion passed unanimously

The meeting was adjourned at 8:05 p.m.

**ZONING BOARD OF APPEALS
AND PUBLIC HEARING MINUTES**

May 20, 2014
Council Chambers

Chairman Bosanac called the meeting to order at 7:00 p.m.

Call to Order.

Chairman Bosanac called the meeting to order and advised appellants that the Zoning Board of Appeals is a nine member board and tonight there are eight members present. The board consists of seven citizens at large, one council person and a representative from the Monroe Citizens Planning Commission. If an appellant would like to wait until there is a full complement of the board, the hearing can be postponed until the next scheduled meeting of the Board.

Appellant wished to proceed.

Roll Call:

Present: Commissioner Bill Kipf
Commissioner Sandra May
Commissioner George O'Dell
Councilman Jeff Hensley
Chairman Michael Bosanac
Commissioner Bettie Dickerson
Commissioner Kenneth Miller
Commissioner Susan Iott

Guests: Richard Kohne, Steve Swartz

Staff: Keith Woodcock, Building Official
Denise Palmer, Department Aid
Dan Swallow, Community Development Director

Pledge of Allegiance

Chairman Bosanac led the pledge.

Minutes & Agenda

A motion was made by Commissioner Dickerson and second by Commissioner Miller to approve tonight's agenda and minutes of the April 08, 2014 meeting.

Motion carried unanimously.

New Business

Case #ZBA 14-005– 3000 E. Front Street. – Assessor’s Parcel #49-01498-002

Applicant / Owner: **Gerdau Steel**

The applicant is seeking a variance of 10 feet to the Maximum Building Height, to construct a manufacturing building that exceeds the height specified in the Schedule of Area, Height, Width and Setback regulations for the I-2 general Industrial District. Section 720-44 of the City of Monroe Zoning Ordinance permits a Maximum Building Height of 40 feet in the I-2 General Industrial District. The proposed building could reach a maximum height of 50 feet.

Staff Report

The staff analysis was read into the record by Ms. Palmer.

Applicant Comments

Richard Kohne, spokesperson for Gerdau Steel explained the company is trying to double the capacity, they are about halfway there. The building is located on the back of the property.

Public Hearing

Chairman Bosanac opened the public hearing.

With no one wishing to speak Chairman Bosanac closed the public hearing.

Board discussion

Discussion was held.

Commission Action

A motion was made by Commissioner May to approve the appellants request as presented. Second by Commissioner Miller.

Commissioner May suggested the board add to the motion, the appeal meets all Requirements in the staff report.

Chairman Bosanac commented that practical difficulty has been met.

Commissioner May stated, all the points have been met that are needed to grant a Variance.

There being no further discussion on the motion, Chairman Bosanac called for the vote.

Motion passed unanimously.

Old Business

Keith Woodcock, Building Official, had comments to the Board regarding Case ZBA14-004, 1008 E. First Street, Parcel Number 49-01101-000. Mr. Woodcock Spoke on the concerns of the parcel. There being no definitive resolution on the Parcel, he suggested the Board allow the appellant the option to return to the Board for a resolution.

Discussion was held.

Commissioner Iott made a motion, in lieu of the fact there was not a vote of the Majority of nine members, but only of those present, to allow the applicant as Referred to in Keith's request to come back with no changes from his original Request if he so chooses to. Second by Commissioner Miller.

Motion passed unanimously.

Communications

None

Public Comment

None

Board Comments

Chairman Bosanac asked Dan Swallow if there were any prospects for Board Members. Mr. Swallow replied that the Mayor has a candidate.

Commissioner Kipf asked questions on fencing and other height issues. Mr. Swallow explained changes in the Industrial uses that are being discussed.

Chairman Bosanac questioned any changes to the sign ordinance.

Councilman Hensley asked if election of officers was missed.

Ms. Palmer explained that at the last meeting a motion to table the election until there was a full complement of the Board.

With no one else wishing to comment Chairman Bosanac asked for a motion to adjourn.

Motion to adjourn by Commissioner May, Second by Commissioner Dickerson.

Motion passed unanimously

The meeting was adjourned at 7:40 p.m.

**ZONING BOARD OF APPEALS
AND PUBLIC HEARING MINUTES**

June 10, 2014
Council Chambers

Chairman Bosanac called the meeting to order at 7:06 p.m.

1. Call to Order.

Chairman Bosanac called the meeting to order and advised appellants that the Zoning Board of Appeals is a nine member board and tonight there are eight members present. The board consists of seven citizens at large, one council person and a representative from the Monroe Citizens Planning Commission. If an appellant would like to wait until there is a full complement of the board, the hearing can be postponed until the next scheduled meeting of the Board.

Appellant wished to proceed.

2. Roll Call:

Chairman Bosanac
Vice Chairman Kipf
Commissioner May
Commissioner O'Dell
Commissioner Iott
Commissioner Dickerson
Commissioner Miller
Commissioner McGhee

Absent: Councilman Hensley

Guests: Aaron Sheen, Neil Jeakle

Staff: Jeffrey Green, AICP, City Planner
Denise Palmer, Department Aide

3. Pledge of Allegiance

Chairman Bosanac led the pledge.

4. Minutes & Agenda

A motion was made by Commissioner Miller and seconded by Commissioner Iott to approve tonight's Agenda and Minutes from the May 20, 2014 meeting.

Motion carried unanimously. (8- 0 / Hensley Absent)

5. New Business

Case #ZBA 14-006– 445 N. Telegraph Road. – Assessor’s Parcel #69-00659-056.

Owner: Yum Brands

Applicant: Jim Bond / National Illumination

The applicant is seeking a variance to install a wall sign that exceeds the allowable sign area and four (4) additional wall signs.

Staff Report

The staff analysis was read into the record by Ms. Palmer.

Applicant Comments

Neil Jeakle spoke on behalf of National Illumination and Sign. Mr. Jeakle discussed the signage that is being proposed for the Taco Bell at 445 N. Telegraph Road. Signage will be part of the updates made to the Building and Site...

Public Hearing

Chairman Bosanac opened the public hearing.

With no one wishing to speak, Chairman Bosanac closed the public hearing.

Board Discussion

Commissioner Iott asked if the proposed signage is the same as the Taco Bell on Nadeau Road?

Mr. Jeakle stated that it was.

Commissioner McGhee asked what the total square footage of the signs would be? Mr. Green, explained the formula for the calculating the square footage of a sign.

Discussion was held on other signs in the area.

Commissioner O'Dell asked if there were existing signs on the sides of the building now? Mr. Jeakle said there were none.

Chairman Bosanac stated he was having a hard time finding a hardship.

Commission Action

A motion was made by Vice Chairman Kipf, to approve the entrance signage as presented, but deny signage. On the North and South Building elevations. Second by Commissioner Miller.

Motion carried unanimously.

6. Old Business

Election of Officers:

Motion made by Commissioner Kipf. To Nominate Chairman Bosanac as

Chairman. Second by Commissioner O'Dell.

Commissioner Bosanac accepts the nomination.

Motion carried unanimously.

Motion made by Commissioner Iott, to nominate
Commissioner Kipf as Vice Chairman. Second by Commissioner May.

Commissioner Kipf accepts the nomination.

Motion carried unanimously.

Motion made by Commissioner Dickerson, to Nominate Commissioner Iott as
Secretary. Second by Commissioner O'Dell.

Commissioner Iott accepts the nomination.

Motion carried unanimously.

7. Communications

Chairman Bosanac asked for an update on 1008 East First Street.
Discussion was held.

8. Public Comment

None

9. Board Comments

Chairman Bosanac welcomed Kelvin McGhee to the board.

10. Adjournment

With no further Business before the Commission Chairman Bosanac asked for a
motion to adjourn.

Motion to adjourn by Commissioner Iott. Second by Commissioner McGhee.

Motion carried unanimously

The meeting was adjourned at 7:50 p.m.

**ZONING BOARD OF APPEALS
AND PUBLIC HEARING MINUTES**

August 12, 2014
Council Chambers

Chairman Bosanac called the meeting to order at 7:06 p.m.

1. Call to Order.

Chairman Bosanac called the meeting to order and advised appellants that the Zoning Board of Appeals is a nine member board and tonight there are eight members present. The board consists of seven citizens at large, one council person and a representative from the Monroe Citizens Planning Commission. If an appellant would like to wait until there is a full complement of the board, the hearing can be postponed until the next scheduled meeting of the Board.

Appellant wished to proceed.

2. Roll Call:

Commissioner Kipf
Commissioner May
Commissioner O'Dell
Chairman Bosanac
Commissioner Dickerson
Commissioner Miller
Commissioner McGhee
Councilman Hensley

Absent: Commissioner Iott

Guests: John Mays, Richard Collins, Jim Seals, Richard Kohne and Craig Metzger

Staff: Keith A. Woodcock, Building Official
Denise Palmer, Department Aid
Dan Swallow, Director Economic & Comm. Development
Matt Wallace, City Planner

3. Pledge of Allegiance

Chairman Bosanac led the pledge.

4. Minutes & Agenda

A motion was made by Commissioner Miller and second by Commissioner May to approve tonight's agenda and minutes of the June 10, 2014 meeting.

Motion carried unanimously.

5. New Business

A. Case #ZBA 14-007– 2410 N. Custer Road. – Assessor's Parcel #69-00072-166.

Owner: Richard Collins

The applicant is seeking a variance to construct a parking space / vehicle turn-around in the front yard setback of the referenced property contrary to Off- Street Parking Requirements, § 720-161, C (4), of the Monroe Code. The subject parcel is Zoned R-1B, Single Family Residential.

Staff Report

The staff analysis was read into the record by Ms. Palmer.

Applicant Comments

Richard Collins discussed the traffic on the bike path that constantly crosses his driveway.

Johnny Mayes spoke on behalf of Richard Collins. Mr. Mayes explained Mr. Collins medical issues. On oxygen 24-7. Neck issues that restrict him from turning his head to look both ways. There is no sidewalk on the opposite side of the street, people walk on his side of the street. There are approximately eight (8) turn- a rounds within a couple of blocks from the referenced property. There is worry as to the safety of the pedestrians walking the bike path. The appeal is based on what is best for the homeowner and the pedestrians.

Public Hearing

Chairman Bosanac opened the public hearing.

With no one wishing to speak Chairman Bosanac closed the public hearing.

Board Discussion

Commissioner Kipf discussed the other circular drives at the corners of Avenue DeLafayette. Properties adjacent to Mr. Collins, having a rear yard area allowing for a turn around, Mr. Collins property does not appear to have the capability for this on his property. Commissioner Kipf understands his concerns over the busy vehicle and pedestrian traffic.

Chairman Bosanac discussed his worries on practical difficulty as to a hardship case. The issues with the size of the turn- around in the front yard setback. The appellant was asked if he would consider reducing the size of the proposed turn around. Chairman Bosanac is worried about the encroachment and setting a precedent. Discussion was held on the turn- around being removed if the current owner sells the property.

Commissioner May stated she would want it to remain if she were to purchase the property.

Councilman Hensley agreed that if it was a smaller area it would be better for the safety of the pedestrians. Not sure putting the restrictions on the property to be removed if sold is a good idea, would be a plus to a lot of people for a turn-around.

Commissioner McGhee is inclined to believe that any future homeowner of the property will want the turn-around there. If the appellant is willing to adjust the measurement let it stay.

Commission Action

A motion was made by Commissioner May, to approve the request provided the appellant reduces the size of the turn-around from sixteen (16) feet to ten (10) feet; size of the turn-around would be ten (10) by twenty (20) feet in the front yard setback. Second by Commissioner Dickerson. Chairman Bosanac called for the vote. So noted to amend the motion to include the turn-around to not be used as a parking spot.

Motion carried unanimously.

B. Case # ZBA 14-008 – 3000 E. Front Street- Parcel # 49- 01498-002.

Owner: Richard Kohne / Gerdau Special Steel North America.

Request from Richard Kohne on behalf of Gerdau Special Steel North America seeking a variance for building and stack heights contrary to § 720-44, Schedule of Area, Height, Width and Setback Regulations (Monroe code), and a variance for sign height contrary to § 720-173, Specific Sign Zone Standards, also of the Monroe Code. The subject parcel is zoned I-2, General Industrial.

Staff Report

The staff report was read into the record by Staff.

Applicant Comments

Craig Metzger, Environmental Manager at Gerdau Monroe Mill. Explained the air permitting issues. An air permit has been applied for through the State of Michigan. The bag house is needed for air quality issues. The bag house needs to be at 150 feet in the air for dispersion modeling. Lower levels were tried and air quality could not be met. PMT2.5 Dispersion Modeling could not be met without going to 150 feet. The State of Michigan is ready to approve the permit. Richard Kohne Discussed the sign change. The traffic currently backs up on Front Street. They are going to change the main entrance to the plant approximately 400 feet west of the existing entrance. This change will alleviate the back up of traffic on Front Street. The sign will be 70 feet from Front Street, which will be farther away than the current sign.

Public Hearing

Chairman Bosanac opened the public hearing.

With no one wishing to comment Chairman Bosanac closed the public hearing.

Board Discussion

Commissioner McGhee asked Mr. Metzger for clarification on the pictures of the stack that were provided.

Councilman Hensley wanted to commend Gerdau on all the work and upgrades they have done to the plant. The bag house being located on the back of the property and would not be directly seen from Front Street. Councilman Hensley does not see an issue with the sign being a distraction.

Commissioner May thinks the sign is a nice looking sign and does not see an issue with it being a detriment to traffic.

Chairman Bosanac applauds Gerdau Steel for the investment they are putting forth in our town.

Commission Action

Councilman Hensley made a motion that the request on behalf of Gerdau Steel seeking the variance for building and stack height also the variance for the sign height be accepted as proposed.

Second by Commissioner Miller.

Motion carried unanimously.

6. Old Business

None

7. Communications

None

8. Public Comment

None

9. Board Comments

Chairman Bosanac commented on the parcel at Roessler and Elm being rented and no longer vacant.

10. Adjournment

With no one else wishing to comment Chairman Bosanac asked for a motion to adjourn.

Motion to adjourn by Commissioner Kipf, Second by Commissioner Miller.

Motion carried unanimously

The meeting was adjourned at 8:00 p.m.

**ZONING BOARD OF APPEALS
AND PUBLIC HEARING MINUTES**

September 09, 2014

Council Chambers

Call to Order.

Chairman Bosanac called the meeting to order at 7:00 p.m.

Roll Call:

Present: Commissioner Bill Kipf
Commissioner Sandra May
Commissioner George O'Dell
Commissioner Susan Iott
Chairman Michael Bosanac
Commissioner Bettie Dickerson
Commissioner Ken Miller
Commissioner Kelvin McGhee
Councilman Jeff Hensley

Guests: Eric Chappell, Brandon Burns, Brian Burns, Tim Krueger, Eli Okletas

Staff: Dan Swallow, Director of Community Development
Matt Wallace, City Planner
Denise Palmer, Department Aid

Pledge of Allegiance

Chairman Bosanac led the pledge.

Minutes & Agenda

A motion was made by Commissioner Miller and supported by Commissioner Kipf to approve tonight's agenda and minutes of the August 12, 2014 meeting.

Motion carried unanimously.

New Business

A.Case #ZBA 14-009– 1008 E. First Street. – Assessor's Parcel #49-01101-000.

Owner: **Brandon Burns**

The applicant is seeking a variance of § 720-105, Nonconforming Uses of Structures and Land (Monroe Code), to allow use of a structure as a three (3) unit residential dwelling. The subject parcel is zoned R-1B, Single Family Residential.

Dan Swallow explained the reason the applicant was back before the board.

The two approaches that can be taken in determining the appeal.

Motion by Commissioner Kipf to hear the entire case. Supported by Commissioner Miller.

Motion carried unanimously.

Staff Report

The staff analysis was read into the record by Ms. Palmer.

Applicant Comments

Eric Chappell legal counsel representing Brandon Burns gave a synopsis on information he presented to the board for review.

Discussion was held pertaining to the time frame from which the property changed hands. The time periods when the property was a two unit, to a three unit use.

Commissioner Kipf questioned if the appellants check zoning on properties before they are purchased. Discussion was held.

Brandon Burns asked the board to consider all aspects in their decision

Public Hearing

Chairman Bosanac opened the public hearing.

A letter was read into the record by Ms. Palmer, from Charles & Nancy Hall, 111 Kentucky Ave.

Mr. Chappell discussed the letter read into the record.

With no one else wishing to speak Chairman Bosanac closed the public hearing.

Board Discussion

Commissioner Kipf brought up the issue of parking for a three unit apartment.

Brandon Burns stated there were no issues with parking the last time it was approved as a three unit dwelling.

Discussion was held on parking.

Commissioner Iott discussed the Assessing standpoint, based on her knowledge as an Assessor through the State of Michigan.

Chairman Bosanac discussed the mixed uses in the neighborhood.
Parking and lack of parking was discussed.

Dan Swallow explained the two actions the board can take. One is the review of the Building Official's decision. The second is a use variance. Mr. Swallow read the definition of a use variance and standards to the board.

Discussion was held.

Commission Action

Commissioner Kipf made a motion that the Board accepts the decision of the Building Official as originally stated. Supported by Commissioner McGhee. Discussion Held.

Motion carried 8 to 1.

Commissioner Kipf made a motion to allow the building to be used as a Continuance of the previous use as long as they can comply with the Requirements for off street parking. Supported by Commissioner May. Discussion Held.

Motion failed 5 to 4. (6 needed to pass).

Commissioner Kipf made a motion to grant the use variance with one (1) Off street parking space per unit. Supported by Commissioner May.

Motion carried 6 to 3.

B. Case # ZBA 14-010- 800 Ternes Dr. - Parcel # 59-01909-032

Owner: Fedco Real Estate Holdings LLC.

Request from Virgil Krueger & Sons on behalf of Fedco Real Estate Holdings, Seeking an eight (8) foot variance of § 720-174 C, (1). General Sign Regulations (Monroe Code), which requires a ten (10) foot setback for Monument signs.

Staff Report

The staff analysis was read into the record by Ms. Palmer.

Applicant Comments

Eli Okletas on behalf of Fedco explained the expansion and renovations that have been made to the facility to bring it up to a state of the art facility for their workers. The expansion more than doubled the size of the operation. The company has hired an additional twenty five people over the last year. The commitment to make the facility as attractive as possible, the effort put into the landscaping that exceeded the requirements.

Discussion was held.

Public Hearing

Chairman Bosanac opened the public hearing.

With no one wishing to speak Chairman Bosanac closed the public hearing.

Board Discussion

Commissioner Kipf complimented Fedco on their landscaping and building. The site looks very nice.

Commission Action

Commissioner Kipf made a motion to move the sign two (2) feet closer to the flagpole to decrease the amount of footage for the variance to six (6 feet). Support by Commissioner Miller.

Motion carried unanimously

Old Business

Commissioner Kipf stated he would like the sign ordinance to be the same On Telegraph Road from City line to City line.

Commissioner Miller stated they are in the process of going through the sign Ordinance.

Communications

Ms Palmer notified the board of one case to be heard at the November meeting.

Public Comment

None

Board Comments

None

Adjournment

With no one else wishing to comment Chairman Bosanac asked for a motion to adjourn.

Motion to adjourn by Commissioner O'Dell, Support by Commissioner Miller.

Motion carried unanimously

The meeting was adjourned at 9:00 p.m.

**ZONING BOARD OF APPEALS
AND PUBLIC HEARING MINUTES**

October 14, 2014
Council Chambers

Chairman Bosanac called the meeting to order at 7:00 p.m.

Call to Order.

Chairman Bosanac called the meeting to order and advised appellants that the Zoning Board of Appeals is a nine member board and tonight there are eight members present. The board consists of seven citizens at large, one council person and a representative from the Monroe Citizens Planning Commission. If an appellant would like to wait until there is a full complement of the board, the hearing can be postponed until the next scheduled meeting of the Board.

Appellant wished to proceed.

Roll Call:

Present: Commissioner Bill Kipf
Commissioner Sandra May
Commissioner George O'Dell
Commissioner Susan Iott
Chairman Michael Bosanac
Commissioner Bettie Dickerson
Commissioner Ken Miller
Councilman Jeff Hensley

Excused: Commissioner McGhee

Guests: Florence Buchanan

Staff: Matt Wallace, City Planner
Denise Palmer, Department Aid
Keith Woodcock, Building Official

Pledge of Allegiance

Chairman Bosanac led the pledge.

Minutes & Agenda

A motion was made by Commissioner Miller and second by Commissioner Dickerson to approve tonight's agenda and minutes of the September 09, 2014 meeting.

Motion carried unanimously.

New Business

Case #ZBA 14-011– 119 N. Tremont Street. – Assessor's Parcel #69-00018-000.

Owner: Florence Buchanan

Request from Florence Buchanan seeking to construct a garage requiring a variance of twenty nine feet three inches (29' 3") for the rear yard setback, a variance of two (2) feet for the side yard setback, and a variance of two hundred three (203) square feet for the maximum lot coverage, of § 720-44, Schedule of Area, Height, Width and Setback Regulations (Monroe Code), which requires a thirty-five (35) foot rear yard setback, a five (5) foot side yard setback and a maximum lot coverage of thirty percent (30%) respectively.

Staff Report

The staff analysis was read into the record by Matt Wallace.

Applicant Comments

Florence Buchanan discussed her reasons for needing a garage at the property.

Public Hearing

Chairman Bosanac opened the public hearing.

Ms. Palmer read into the record a letter from Loretta Guzzi, 131 Tremont Street. Giving her approval of the proposed garage construction at 119 Tremont Street.

Keith Woodcock, Building Official informed the board of a section in the Building Code that will require part of the garage to be one hour fire rated. Anything less than five feet (5) from one building to another requires a one hour fire resistant rating on the exterior walls. 2009 Residential Building Code § R-302.

With no one else wishing to speak Chairman Bosanac closed the public hearing.

Board Discussion

Chairman Kipf questioned if the front of the garage was going to be even with the neighbor's garage.

Discussion was held on lot size. This lot is a substandard lot.

Discussion was held on a lot of other parcels in the neighborhood not in conformity either.

Commissioner Kipf brought to attention the possible lack of emergency personnel having access to the property if variances were granted.

Discussion was held.

Commission Action

A motion was made by Commissioner Kipf, Second by Commissioner Miller
To allow the appellant to build a garage 20 foot wide by 24 foot deep with a separation of 4' foot
6" between the buildings.

Motion carried unanimously.

Commissioner Kipf amended his original motion, Second by Commissioner Miller, to allow the
appellant to build a garage that measures 20 by 24 feet utilizing the setbacks from the rear and
side property line as put forth in submitted drawing and maintaining a separation of four foot (4')
six inches (6") between the buildings, a lot coverage variance of one hundred fifty five feet (155)
square feet. Based on practical difficulties D, F, and G in the Staff Analysis.

Motion carried unanimously.

Old Business

None

Communications

Ms. Palmer notified the board the meeting scheduled on November 18, 2014 will be cancelled,
due to no cases to be heard.

Public Comment

None

Board Comments

None

Adjournment

With no one else wishing to comment Chairman Bosanac asked for a motion to adjourn.

Motion to adjourn by Commissioner Iott, Second by Commissioner May.

Motion carried unanimously

The meeting was adjourned at 7:40 p.m.